

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

NESTOR ANTONIO VERDUZCO (3),
Defendant.

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Criminal No. 12-10226-DJC

**MOTION FOR EMERGENCY STAY AND FOR
REVIEW AND REVOCATION OF A RELEASE ORDER**

The United States, by and through its attorneys, Carmen M. Ortiz, United States Attorney for the District of Massachusetts and Leah Foley, Assistant United States Attorney, hereby files this *Motion For Emergency Stay and For Review and Revocation of a Release Order* in the above-captioned case. Pursuant to 18 U.S.C. §3145(a)(1), this Court has jurisdiction over any government motion to revoke an Order of pretrial release filed by a magistrate judge in the district where the defendant was arrested, which in this case, is the District of Arizona. For the reasons set forth below, the government requests that this court revoke the Arizona magistrate judge's order of release and order the defendant held pending his transportation to the District of Massachusetts for the purposes of his arraignment on the charges in the Indictment.

I. BACKGROUND

On the August 2, 2012, federal grand jury in the District of Massachusetts returned an Indictment charging defendant, Nestor Antonio Verduzco (hereinafter, the "Defendant" or "Verduzco"), and co-defendants John Kosta, Fidencio Serrano-Esquer, Dennis Novicki, Alexander Napoleon and Donald McCormick with conspiracy to possess with intent to distribute and to distribute 100 of more kilograms of marijuana, in violation of 21 U.S.C. § 846. A federal arrest

The order releasing the defendant is stayed pursuant to 18 USC § 3145(a)(1) pending a further hearing in this court. The court will advise the parties of the time and date. Ryan Zabel 8/24/12